



GP3731

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Atty Docket No.: 15508-002500

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5-15-00

#6
election

on May 1, 2000

TOWNSEND and TOWNSEND and CREW LLP

By *[Signature]*
Loni M. Cummings

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

D. BRUCE MODESITT, et al.

Examiner: A. King

Application No.: 09/262,402

Art Unit: 3731

Filed: March 4, 1999

For: ARTICULATING SUTURING
DEVICE AND METHOD

RESPONSE TO RESTRICTION
REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In view of the Restriction Requirement mailed March 29, 2000, Applicants elect the claims which can be read onto the specie of Figures 1-7 for further prosecution. These claims are as follows: 1-11, 15-25, 28-41 and 44-47. Of these claims, claims 1, 2, 15-25, 28-40 and 44-47 are generic to both the specie of Figures 1-7 and the specie of Figures 11a-11e.

Applicants traverse this election of species on the grounds that the record for this case does not yet show how examination of all claims would impose an undue burden.

We shall provide a fresh set of drawings of Figures 10a, 10b, 11a, 11b-e as requested by the Examiner within the next two months.

Respectfully submitted,



C. James Wheeler
Granted Limited Recognition under 37 CFR §10.9(b)
as set out in the attached authorization

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CJW:lmc